

Interview Summary	Application No. 10/014,774	Applicant(s) D'AZZO ET AL.	
	Examiner Christian L. Fronda	Art Unit 1652	

All participants (applicant, applicant's representative, PTO personnel):

- (1) Christian L. Fronda and Ponnathapura Achutamurthy. (3) Paul Fehlner.
 (2) Paul Zagar. (4) Scott Elmer.

Date of Interview: 19 January 2006.

Type: a) ☒ Telephonic b) ☐ Video Conference
 c) ☐ Personal [copy given to: 1) ☐ applicant 2) ☐ applicant's representative]

Exhibit shown or demonstration conducted: d) ☐ Yes e) ☒ No.
 If Yes, brief description: _____.

Claim(s) discussed: 9,10,13,15-17,19 and 20.

Identification of prior art discussed: NONE.


Agreement with respect to the claims f) ☐ was reached. g) ☒ was not reached. h) ☐ N/A.

Substance of Interview including description of the general nature of what was agreed to if an agreement was reached, or any other comments: See Continuation Sheet.

(A fuller description, if necessary, and a copy of the amendments which the examiner agreed would render the claims allowable, if available, must be attached. Also, where no copy of the amendments that would render the claims allowable is available, a summary thereof must be attached.)

THE FORMAL WRITTEN REPLY TO THE LAST OFFICE ACTION MUST INCLUDE THE SUBSTANCE OF THE INTERVIEW. (See MPEP Section 713.04). If a reply to the last Office action has already been filed, APPLICANT IS GIVEN A NON-EXTENDABLE PERIOD OF THE LONGER OF ONE MONTH OR THIRTY DAYS FROM THIS INTERVIEW DATE, OR THE MAILING DATE OF THIS INTERVIEW SUMMARY FORM, WHICHEVER IS LATER, TO FILE A STATEMENT OF THE SUBSTANCE OF THE INTERVIEW. See Summary of Record of Interview requirements on reverse side or on attached sheet.

Examiner Note: You must sign this form unless it is an Attachment to a signed Office action.


 Examiner's signature, if required

Continuation of Substance of Interview including description of the general nature of what was agreed to if an agreement was reached, or any other comments: Applicants presented arguments to traverse the rejection of the claims under 112, 1st paragraph, enablement. Applicants' position is that isolating the claimed nucleic acids from cardiac and skeletal muscle and sequencing the claimed nucleic acids to determine the percent identity to SEQ ID NO: 2 requires less than routine skill in the art. Applicants argue regarding claim 20 is that using routine sequencing one of skill in the art can easily determine whether the nucleic acid is a PPCA exon Ia and then exclude it from the scope of the claimed nucleic acid. The examiner will contact applicants after consulting the technology center biotechnology specialists regarding the claims and rejections of record.



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Fax Cover Sheet

Date: 19 Jan 2006

To: Paul Zagar	From: Christian L. Fronda <i>Christian L. Fronda</i>
Application/Control Number: 10/014,774	Art Unit: 1652
Fax No.: (212)527-7701	Phone No.: (571)272-0929
Voice No.:	Return Fax No.: (571) 273-8300
Re:	CC:
<input checked="" type="checkbox"/> Urgent <input checked="" type="checkbox"/> For Review <input type="checkbox"/> For Comment <input type="checkbox"/> For Reply <input type="checkbox"/> Per Your Request	

Comments:

Attached is the interview summary for Serial No. 10/014,774.

Number of pages 3 including this page

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